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TO: Commissioner for Patents
FAX NO: 1-703-872-9306
DATE: May 16, 2005
FROM: Richard D. Getz
RE: U.S. Pat. Appl. Serial No. 10/074,990

NO. OF PAGES TO FOLLOW: 3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: : Docket No.: 5173-0006
MICHAEL J. SCOTT et al. : Date: May 16, 2005
Serial No.: 10/074,990 : Group Art Unit: 1761
Filing Date: 13 February 2002 : Examiner: R. Alexander

Title: ELECTRIC BEVERAGE MAKER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sirs:

In response to the non-final Office Action mailed on February 16, 2005, having an expiration date of May 16, 2005, applicants provide the present response.

Claims 1-38 and 41-43 are pending. Claims 1-9, 11-21, 23, and 25-38 are rejected, claims 41-43 are allowed, and claims 10, 22 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants thank the Examiner for his allowance and conditional allowance of the aforesaid claims.

Remarks begin on page 2 of this response.